

**To:** Spencer, Stuart[SPENCER@adeq.state.ar.us]; Spence, Samara (ENRD)[Samara.Spence@usdoj.gov]; jamie.ewing@arkansasag.gov[jamie.ewing@arkansasag.gov]; Montgomery, William[Montgomery@adeq.state.ar.us]; Feldman, Michael[Feldman.Michael@epa.gov]; Donaldson, Guy[Donaldson.Guy@epa.gov]; Medina, Dayana[Medina.Dayana@epa.gov]; Treece, Tricia[treecep@adeq.state.ar.us]; Stenger, Wren[stenger.wren@epa.gov]  
**From:** Nann, Barbara  
**Sent:** Fri 6/2/2017 7:26:59 PM  
**Subject:** AR RH: FLM Consultation/Parallel Processing  
OK SIP for AEP.pdf

I have attached the revised SIP that Oklahoma did for AEP BART settlement. On page 11 it provided language on parallel processing and FLM consultation. Of note, upon submittal of SIP, a request for parallel processing letter is required. Appendix VIII contains the March 20, 2013 request for parallel processing that can act as a template. In addition, on page 11 of the SIP, FLM consultation is outlined. For OK, upon SIP submittal to EPA was when the FLM consultation occurred as well as the start of the comment period. The hearing was held at the end of the comment period and on the 60<sup>th</sup> day that the FLM received the SIP submission. Based on memory, I believe the FLMs were also provided with a draft prior to the formal submission.

## Review, Consultations, and Comments

### A. EPA Review with Parallel Processing

The State of Oklahoma submitted the proposed Regional Haze SIP Revision, in electronic and paper form, for EPA review on March 20, 2013, along with a request for parallel processing. At that

time, the State also submitted a copy of the draft notice of public hearing and opportunity for comment,

prepared in accordance with 40 C.F.R. § 51.102 and “Procedures for Notice of Opportunity for Public

Hearing and Comment – Oklahoma SIP Review/Revision Submittals.” These state public participation

procedures were submitted to EPA for review under 40 CFR § 51.102. In a letter dated August 23, 2012,

EPA concurred that they are consistent with the requirements of 40 CFR § 51.102 and associated guidance.

### B. Federal Land Manager Consultation

As part of the development of this implementation plan revision, DEQ consulted with the designated Federal Land Manager (FLM) staff personnel in accordance with the provisions of 40 C.F.R. §

51.308(i)(2). DEQ provided an opportunity to federal land managers for consultation in person and at

least 60 days before holding any public hearing on this implementation plan revision. This consultation

gave the federal land managers the opportunity to discuss their assessment of:

- Impairment of visibility at the Wichita Mountains and at other Class I areas;
- Recommendations on the development of reasonable progress goals; and
- Recommendations on strategies to address visibility impairment.

On March 20, 2013, simultaneous with submittal of the request to EPA for parallel processing,

DEQ notified the federal land manager staff of this proposed Regional Haze SIP Revision, and provided

them with electronic access to the revision and related documents. DEQ also provided the federal land

manager staff with notice of the public hearing scheduled for May 20, 2013. Comments received from

the FLMs have been considered and posted on the DEQ Regional Haze webpage. The FLM Contact List

and comments, are included in Appendix V. Responses to the FLM comments are included in the Summary of Comments and Responses document in Appendix VII.

Barbara

**From:** Spencer, Stuart [mailto:SPENCER@adeq.state.ar.us]

**Sent:** Friday, June 02, 2017 11:07 AM

**To:** Nann, Barbara <nann.barbara@epa.gov>; Spence, Samara (ENRD) <Samara.Spence@usdoj.gov>; jamie.ewing@arkansasag.gov; Montgomery, William

<Montgomery@adeq.state.ar.us>; Feldman, Michael <Feldman.Michael@epa.gov>; Donaldson, Guy <Donaldson.Guy@epa.gov>; Medina, Dayana <Medina.Dayana@epa.gov>; Treece, Tricia <treecep@adeq.state.ar.us>; Stenger, Wren <stenger.wren@epa.gov>

**Subject:** RE: AR RH

Thanks, Barbara.

**From:** Nann, Barbara [<mailto:nann.barbara@epa.gov>]

**Sent:** Thursday, June 01, 2017 3:49 PM

**To:** Spence, Samara (ENRD); [jamie.ewing@arkansasag.gov](mailto:jamie.ewing@arkansasag.gov); Montgomery, William; Feldman, Michael; Donaldson, Guy; Medina, Dayana; Spencer, Stuart; Treece, Tricia; Stenger, Wren

**Subject:** AR RH

Stuart,

I will talk with HQ about national examples of states relying on CSAPR better than BART for EGUs for the RP analysis. I quickly pulled up the case that enviros brought against EPA for approving MN plan that relied on CSAPR better than BART for EGUs as part of their RP analysis. Based on my recollection, this is fairly typical on how EPA has handled that issue. See: <http://www.lawandenvironment.com/wp-content/uploads/sites/5/2016/03/122910P.pdf>.

Barbara